

J Christopher Jorgensen  
Nevada Bar No. 5382  
LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Pkwy, Suite 600  
Las Vegas, NV 89169-5996  
Tel: (702) 949-8200  
Email: cjorgensen@lewisroca.com

Jayant W. Tambe (*pro hac vice*)  
Laura Washington Sawyer (*pro hac vice*)  
JONES DAY  
250 Vesey Street  
New York, NY 10281  
Tel: (212) 326-3939  
Email: jtambe@jonesday.com  
lwsawyer@jonesday.com

*Attorneys for Defendant Banco Santander, S.A.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CMB INFRASTRUCTURE GROUP IX, LP,  
a California limited partnership; CMB  
INFRASTRUCTURE GROUP XI, LP, a  
California limited partnership; CMB  
EXPORT, LLC, a Texas limited liability  
company,

Plaintiffs,

vs.

COBRA ENERGY INVESTMENT  
FINANCE, INC., a Delaware corporation,  
COBRA ENERGY INVESTMENT, LLC, a  
Delaware corporation, COBRA  
INDUSTRIAL SERVICES, INC., a Delaware  
corporation, COBRA THERMOSOLAR  
PLANTS, INC., a Nevada corporation,  
COBRA INSTALACIONES Y SERVICIOS  
S.A., a Spanish corporation, ACS  
SERVICIOS COMUNICACIONES Y  
ENERGIA, S.L., a Spanish corporation,  
BANCO SANTANDER, S.A., a Spanish  
Corporation, TONOPAH SOLAR ENERGY,  
LLC, a Delaware limited liability company,  
and DOES I through 50, inclusive,

Defendants.

Case No. 2:21-cv-00214- CDS-DJA

**STIPULATION AND ORDER  
REQUESTING STAY OF  
JURISDICTIONAL DISCOVERY AS TO  
DEFENDANT BANCO SANTANDER,  
S.A.**

**[SECOND REQUEST]**

1 Plaintiffs CMB Infrastructure Investment Group IX, LP, CMB Infrastructure Investment  
2 Group XI, LP, and CMB Export, LLC (collectively, “Plaintiffs”), by and through their attorneys of  
3 record, and Defendant Banco Santander, S.A. (“Santander”), by and through its respective attorneys  
4 of record, hereby stipulate as follows:

5 1. On November 15, 2021, this Court issued an Order Denying Motion to Remand;  
6 Resolving Motions to Dismiss; Granting in Part and Denying as Moot in Part Request for  
7 Jurisdictional Discovery; Granting Motion to Compel Arbitration; and Staying Case (hereinafter,  
8 “November 15 Order”) (ECF Doc. No. 70);

9 2. The November 15 Order granted Defendants’ motion to compel arbitration and  
10 stayed the remainder of this case, except to permit limited jurisdictional discovery as to Santander;

11 3. The November 15 Order directed Plaintiffs and Santander to meet and confer on the  
12 length and scope of limited jurisdictional discovery as to Defendant Santander and file a proposed  
13 scheduling order within ten days of the November 15 Order;

14 4. On November 24, 2021, Plaintiffs and Santander filed a joint stipulation proposing  
15 a stay of jurisdictional discovery as to Santander for six months;

16 5. On November 29, 2021, the Court so ordered the parties’ stipulation staying  
17 jurisdictional discovery as to Santander until May 24, 2022.

18 6. On February 4, 2022, Plaintiffs commenced an ICC arbitration against Defendants  
19 Cobra Energy Investment Finance, Inc., Cobra Energy Investment, LLC, Cobra Industrial Services,  
20 Inc., Cobra Thermosolar Plants, Inc., Cobra Instalaciones y Sevicios S.A., Servicios  
21 Comunicaciones y Energia, S.L. and Tonopah Solar Energy, LLC;

22 7. In light of the pending ICC arbitration, Plaintiffs and Santander have agreed to a  
23 further stay of any limited jurisdictional discovery as to Defendant Santander;

24 8. THEREFORE, Plaintiffs and Santander stipulate that:

25 a. Jurisdictional discovery as to Santander shall be stayed for an additional six  
26 months, until at least November 23, 2022; and

27 b. On or before November 23, 2022, Plaintiffs and Santander shall submit a  
28 proposed scheduling order governing limited jurisdictional discovery as to

Defendant Santander.

This is the Parties' second request for a stay of limited jurisdictional discovery as to Defendant Santander, and is made before the expiration of any discovery schedule in this action. This Stipulation is made in good faith and is not intended for purposes of delay.

Dated this 24th day of May 2022.

LEWIS BRISBOIS  
BISGAARD & SMITH LLP

LEWIS ROCA  
ROTHGERBER CHRISTIE LLP

/s/ John S. Poulos  
John S. Poulos  
Nevada Bar No. 154689  
2020 W. El Camino Avenue, Suite 700  
Sacramento, CA 95833  
Tel. 916.564.5400

/s/ J Christopher Jorgensen  
J Christopher Jorgensen  
Nevada Bar No. 5382  
Matthew R. Tsai  
Nevada Bar No. 14290  
3993 Howard Hughes Pkwy, Suite 600  
Las Vegas, NV 89169-599

John S. Poulos  
Nevada Bar No. 15085  
6385 South Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
Tel. 702.893.3383

*Attorneys for Defendant*  
*BANCO SANTANDER, S.A.*

*Attorneys for Plaintiffs*  
*CMB INFRASTRUCTURE GROUP IX, LP; CMB*  
*INFRASTRUCTURE GROUP XI, LP; and CMB*  
*EXPORT, LLC*

**ORDER**

IT IS SO ORDERED.

  
DANIEL J. ALBRECHTS  
UNITED STATES MAGISTRATE JUDGE

DATED: May 25, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of May 2022, I caused a true and accurate copy of the foregoing document entitled **STIPULATION AND ORDER REQUESTING STAY OF JURISDICTIONAL DISCOVERY AS TO DEFENDANT BANCO SANTANDER, S.A.** to be filed with the Clerk of the Court via the CM/ECF system, which will send an electronic copy to all interested parties.

/s/ Annette Jaramillo

An employee of Lewis Roca  
Rothgerber Christie LLP

3993 Howard Hughes Parkway, Suite 600  
Las Vegas, NV 89169